



**Attorney General
Betty D. Montgomery**

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January 10, 2001

Via Federal Express

Magalie R. Salas, Secretary
Federal Communications Commission
445 12th Street S.W.,
Portals II Building
Washington, DC 20554

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JAN 11 2001

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Re: *In the Matter of 2000 Biennial Regulatory
Review - Telecommunications Service
Quality Reporting Requirements, CC
Docket No. 00-229*

Dear Ms. Salas:

Enclosed please find the original and ten copies of the comments of the Public Utilities Commission of Ohio in the above referenced case. Please return one time-stamped copy in the enclosed, stamped, self-addressed envelope.

Thank you for your consideration in this matter.

Respectfully submitted,

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Attorney General

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In the Matter of

2000 Biennial Regulatory Review --
Telecommunications Service Quality
Reporting Requirements

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CC Docket No. 00-229

**COMMENTS OF
THE PUBLIC UTILITIES COMMISSION OF OHIO**

INTRODUCTION

On November 9, 2000, the Federal Communications Commission (FCC) adopted a Notice of Proposed Rulemaking (NPRM) in CC Docket No. 0-229 (CC 00-229) (In the Matter of Biennial regulatory Review -- Telecommunications Service Quality Reporting Requirements).

The FCC's NPRM seeks comment on certain proposals to eliminate unnecessary reporting requirements as competition develops. In particular, the FCC proposes to reduce significantly the number of categories of information that carriers are required to file with the FCC to the following six categories: (1) missed installations, (2) installation intervals, (3) trouble reports, (4) out-of-service troubles, (5) missed repair appointments, and (6) repair intervals. The FCC also invites comment on what additional service quality information is necessary and whether customers would find service quality reporting for advanced services useful.

The Public Utilities Commission of Ohio (PUCO or Ohio Commission) hereby submits its comments to the FCC responding to the FCC's November 9, 2000, NPRM in the above-captioned proceeding. Comments responding to the FCC's NPRM are due on or before January 12, 2001.

DISCUSSION

CATEGORIES OF PERFORMANCE DATA

As noted above, the FCC seeks comments on its proposal to retain reporting for the following measures: (1) the percentage of installation appointments that are missed; (2) the time it takes to install service; (3) the percentage of lines that have problems, including out of service lines; (4) the time it takes to have out of service lines repaired; (5) the percentage of repair appointments that are missed; and (6) the time it takes to repair service. NPRM at ¶¶ 16 through 22. The FCC further seeks comment on whether there are other types of service quality information that consumers would find useful. NPRM at ¶ 23.

The Ohio Commission believes the continued reporting of certain service quality information serves a vital public interest. Service quality information is vital not only to consumers who may have a choice of carriers but is also of continued importance to regulators in a number of states who have witnessed a recent downturn in service quality. Repair and installation performance should remain the cornerstone of any ongoing reporting regime. All local exchange carriers maintain installation and repair data, and reporting that information to the Commission imposes little additional burden. Public and timely disclosure of repair and installation data is crucial in facilitating the education of the public and focusing the attention of the regulators on problem areas. The

Ohio Commission considers semi-annual reporting, with the relevant data disaggregated by month, sufficient to meet the needs of both consumers and regulators without imposing additional burdens on local exchange carriers.

In 1998, the National Association of Regulatory Utility Commissioners (NARUC) adopted a service quality "white paper" which sought to address the issues raised in the Commission's current Notice of Proposed Rulemaking (NPRM). The white paper in its entirety was imposed as a condition to FCC approval of the SBC/Ameritech merger. The white paper, attached as Appendix C to the current NPRM, recommends reporting five major categories of performance data to measure the quality of telecommunications service. These five categories are installation, repair and maintenance, network performance, customer perception, and answer time performance. The NARUC white paper stated the need for this data as follows:

This paper suggests that, by measuring and reporting telecommunications service quality, all stakeholders can assure themselves service quality is meeting customers' needs and identify areas where there may be weaknesses in need of corrective action. A highly publicized service quality reporting program will provide consumers with the information necessary for making informed and rational choices. In addition, publicizing service quality performance will both draw attention to potential problem areas before impacting consumers and provide a strong incentive for carriers to improve quality year after year.

Consistent with NARUC's approach as put forth in the white paper and the Commission's proposed core service quality reporting requirements, contained in Appendix B of the NPRM, the Ohio Commission recommends that all local exchange carriers continue to report performance on installation as well as maintenance and repair. Several tenets of the white paper, however, should be incorporated in such reporting. For instance, the data should be reported in its "raw" form. The carriers should be required to provide the performance data without excluding data due to carrier-invoked excep-

tions. A local exchange carrier often excludes certain trouble reports and other performance data if the carrier determines that the sub-par performance was due to factors beyond its control (e.g., inclement weather). Again citing the service quality white paper:

Most telecommunications carriers have company procedures in which certain calls to the repair center are not counted as true "troubles." State commissions and U.S. Territories have encountered significant discrepancies in the exceptions found in audits of telecommunications carriers. One carrier may have a list of twenty or more reasons for excluding a trouble ticket from the report, while another utility may have only two or three acceptable exceptions. In order to facilitate benchmarking carrier performance and analysis of service quality data, the Technology Policy Subgroup suggests that telecommunications carriers simply pass along all trouble report data. By excluding the use of such exceptions, the Technology Policy Subgroup anticipates that the accuracy of the reported service quality data will increase, while the reporting burden on the carrier will decrease.

The Ohio Commission recommends that the following categories of data be reported to the Commission:

1. Installation

a) Installation orders for basic service.

Report the number of all installation orders for basic service occurring within the reporting period. Installation orders include new orders, transfer orders, and change orders. The information should be disaggregated into business and residential classifications.

b) Installation orders for basic service.

Report each state standard for the number of allowable days to complete installation orders for basic service. Report the total number of installation

orders for basic service completed within each state standard. The report should disaggregate the data into business and residential classifications.

c) Held Orders (30 days)

Carriers should report the number of requests or orders for basic service delayed over 30 calendar days.

d) Missed Installation Commitments

The total installation commitments made during the reporting period and the total number of missed installation commitments should be included in the report. This information should be disaggregated into business and residential classifications.

2. Maintenance & Repair

a) Trouble Reports

The number of initial and repeat trouble reports occurring within the reporting period should be included in the report. The carriers should disaggregate the data by business and residential classifications.

1. Initial Trouble Reports

Total initial trouble reports and the number of out-of-service initial trouble reports should be included in the reported information.

2. Repeat Trouble Reports

Total repeat trouble reports and the number of out-of-service repeat trouble reports should be submitted as part of the carriers' reports to the FCC.

3. Access Lines

The carriers should report the total number of access lines served by the reporting carrier. The data will be used to track and trend service the

quality performance of the local exchange carriers over a period of time, and for comparing local exchange carriers to one another, by comparing data related to the total number of trouble reports and the total number of access lines. Such comparisons are needed to determine the quality of service provided to the end-user.

b) Repair intervals

The total number of out-of-service troubles that remain out-of-service for more than 24 hours should be reported and disaggregated by business and residential classifications.

1. Average Repair Interval

The average duration, in hours, to repair all basic service troubles should be reported and disaggregated by business and residential classifications.

c) Missed Repair Commitments

The total number of repair commitments during the reporting period and the total number of missed repair commitments should be reported and disaggregated by business and residential classifications.

3. Answer Time

The following answer time information should be documented and also included in the report: (1) the total number of attempted calls, (2) the total number of calls answered by recorded information, (3) the total number of calls answered by a live attendant, (4) the total number of calls abandoned or dropped, and (5) the average waiting time for all calls answered live, as measured from the time the customer chooses to talk to a live operator. This data should also be disaggregated business and repair offices calls. A rise in customer complaints in Ohio during this year indicates that

customers are not satisfied with answer time provided by some local exchange carriers. This data is important to consumers when determining a local exchange carrier's availability and responsiveness to consumers needs—whether to report trouble or to order services.

DEFINITIONS

The FCC notes that its current Automated Reporting Management Information Systems (ARMIS) program provides basic definitions and instructions for the reporting the various service quality measurements. The FCC seeks comment on whether it needs to specify with more particularity the definitions and business rules for the measures proposed to retain, so that comparisons between carriers will be accurate and meaningful. NPRM at ¶ 24.

For consistency purposes, the PUCO recommends that the following standardized definitions be adopted by the FCC:

Access Lines: An access line is a channel of varying size with an associated telephone number. Access lines to be counted: All public switched network lines, including residence, business, Centrex, ISDN, Payphone, and voice-grade PBX trunks.

Basic Service: The provision of access to: one party line service, local/toll calling, local usage, tone dialing, emergency services, assistance services, telecommunications relay services, directory listings, privacy protections and non-published service associated with the public switched network.

Held Order: Requests or orders for basic service delayed over 30 calendar days because of telephone utility plant or workforce problems.

Missed Installation Commitment: A missed installation commitment occurs when; a) basic local exchange service is not provided to the consumer's interface on or

before the date and time of the commitment with the customer; or b) when the local exchange carrier fails to keep an on-premises installation appointment with the consumer.

Missed Repair Commitment: A missed repair commitment occurs when a customer's trouble is not repaired on or before the date and time of the commitment with the customer. A missed repair commitment also occurs when the local exchange carrier fails to keep an on-premises appointment.

Out-of-Service: A classification of a trouble report where the customer indicates either: (1) an inability to complete incoming or outgoing calls; or (2) the presence of interference which causes connected calls to be incomprehensible.

Trouble: A trouble is an impairment of the telephone network, or a deviation from its design specifications.

Trouble Report: The record of when the repair office personnel receives notification of a trouble or perceived trouble by a subscriber, third party, or employee acting as a subscriber or when other employees receive notification of a trouble or perceived trouble by a subscriber, third party, or employee acting as a subscriber and refers the report to the repair office.

Initial Trouble Report: The first customer trouble report associated with a specific trouble on a subscriber line for which there is no pending trouble report.

Repeat Trouble Report: Customer trouble reports received within thirty days after the resolution of an initial trouble report on the same line.

The PUCO recommends that the underlying data used to develop such service quality reports should be retained for a period of two years and made available upon request to federal and state regulators.

TYPES OF REPORTING ENTITIES

The FCC remarks that it believes that if consumers had access to service quality data from all carriers providing local exchange service in their area, they would be in a better position to make an informed choice between, or among, carriers. Consequently, the FCC seeks comment on the benefits and costs of imposing these new reduced service quality reporting requirements on a broader class of carriers than currently are subject to the more numerous requirements so that consumers may compare service quality of competing carriers. The FCC also seeks comment on whether a viable alternative would be voluntary service quality reporting procedures for certain carriers. Finally, the FCC seeks comment on whether carriers should be relieved of all mandatory reporting under certain circumstances, and if so, when. NPRM at ¶¶ 29 through 32.

All currently reporting ILECs and CLECS with 5,000 access lines (i.e., DSOs or their equivalent) per study area should be required to provide the FCC with the service quality information proposed earlier in these comments. Specifically, if the information gathering process proposed by the FCC is truly intended to inure to the benefit consumers, all incumbent and major competing local carriers should be required to report. More specifically, the Ohio Commission contends that, unless the customer is provided a readily available basis for comparison of the information, any information provided only by the ILEC will be relatively useless for the comparison by end users.

BROADBAND SERVICES

The FCC remarks that the deployment of new technologies and new services is a matter of particular interest. The FCC observes, however, that the data collected through the Local Competition and Broadband Data Gathering Program, however, does not provide information on service quality for broadband services. Instead, the objective of the Local Competition and Broadband Data Gathering

Program is to provide the Commission with information on local competition and the deployment of broadband in the United States. The FCC further observes that its current ARMIS reporting requirements only collect information about service quality for basic voice telephony (e.g., POTS). The FCC also notes that it has received numerous complaints regarding the time involved with installing xDSL services. Consequently, the FCC seeks comment on whether to gather information regarding service quality in the provision of broadband and other advanced services. NPRM at *ff* 25 and 26.

While not attempting to impose additional regulatory requirements, the Ohio Commission maintains that mandatory minimal broadband (xDSL or its functional equivalent) reporting by all local service providers with over 5,000 access lines (DSOs or their equivalent) will benefit customers. Specifically, the FCC should collect information on the total number of broadband access lines in service and the corresponding installation intervals (i.e., the average time period per line from the customer s ordering service to the actual service being provided to the customer). Moreover, all local carriers should report the number and percent of missed installation appointments, and the number and percent of service lines not installed 30 days after service is requested by the consumer. Finally, the Ohio Commission recommends that the FCC require all local service providers with over 5,000 local access lines to report the number broadband related of out of service troubles and average repair time intervals. This information should be disaggregated on a monthly basis and provided to the FCC semi-annually.

CONCLUSION

Submission of consumer-oriented data, such as 1) installation, 2) maintenance and repair, and 3) answer time is consistent with the FCC's goal to "modify existing requirements to better serve our consumer protection goals and to arm consumers with information they need to make informed decisions." Furthermore, the collection of the proposed service quality reporting data focuses on the quality of service affecting the

end-user. Under the proposed reporting requirements, local exchange carriers will submit much less data than what is now required. By requesting specific raw data relating to the end-user, the local carriers will not need to develop and retain any data that they do not currently keep for their own business practices. By requiring only data already collected by the local carriers and requiring little, if any data manipulation, providing the proposed set of performance data places no additional burden on the local exchange carriers. Finally, the Ohio Commission believes that the submission and collection of the proposed service quality data is in line with the FCC's desire to develop a minimal national framework that provides an efficient method of data collection that will serve the interests of the carriers, consumers, and state and federal regulators.

Respectfully submitted,

Public Utilities Commission of Ohio

By its Attorneys:

Betty Montgomery
Attorney General of Ohio

Duane Luckey, Section Chief

A handwritten signature in black ink, appearing to read "Jodi Jenkins Bair", is written over a horizontal line.

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Dated: January 11, 2001